

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

JEFFREY STEVEN RUDLUFF,

Petitioner,

v.

FNU ROSALEZ, Warden,

Respondent.

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1:22-CV-1139-RP

**ORDER**

Before the Court is Petitioner Jeffrey Steven Rudluff's ("Rudluff") Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, (Dkt. 1). The case was referred to United States Magistrate Judge Susan Hightower for findings and recommendations, pursuant to 28 U.S.C. § 636(b). Judge Hightower filed her report and recommendation on July 7, 2023. (Dkt. 14). In her report and recommendation, Judge Hightower recommends that the Court dismiss Rudluff's Petition for Writ of Habeas Corpus for want of jurisdiction premised on failure to exhaust and the *Younger* abstention doctrine. (*Id.* at 4). Rudluff received the report and recommendation no later than July 19, 2023, (Dkt. 17), and filed objections on August 7, 2023.

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Rudluff timely objected to each portion of the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules Rudluff's objections and adopts the report and recommendation as its own order.

Because no party has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge, (Dkt. 14), is **ADOPTED. IT IS ORDERED** that Rudluff's Petition for Writ of Habeas Corpus, (Dkt. 1), is **DISMISSED WITHOUT PREJUDICE** for want of jurisdiction premised on failure to exhaust and the *Younger* abstention doctrine.

It is **FURTHER ORDERED** that a certificate of appealability is **DENIED**.

**SIGNED** on August 10, 2023.

A handwritten signature in blue ink, appearing to read "R. Pitman", is written over a horizontal line.

ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE